



September 12, 2013

Senate Committee on Education
Senator Olsen, Chair
State Capitol, Room 319 South
Madison, WI 53707

Dear Sen. Olsen and members of the Committee:

Thank you for the opportunity to comment on proposed Senate Bill 286.

The Wisconsin Board for People with Developmental Disabilities (BPDD) advocates on behalf of people with developmental disabilities such as brain injury, cerebral palsy, epilepsy, Prader-Willi syndrome, intellectual disability, and other conditions. Sixty percent of the board—appointed by the Governor—is people with developmental disabilities or family members of people with developmental disabilities.

Families of children with disabilities in Wisconsin know their children can achieve and learn with their peers with the right instruction and supports. Research clearly shows that 99% of students – including those with disabilities -- can learn grade-level content in the general education curriculum and achieve proficiency on grade level standards.

Families of students with disabilities want to make the best educational choices for their children, and they need an accountability system that clearly identifies how specific schools perform in preparing their children for adulthood. With that appropriate preparation, students with disabilities can become contributing members of their communities and a valuable asset to Wisconsin's skilled workforce. A quality education prepares students with disabilities to move with their peers from school into employment within the community.

BPDD appreciates the creation of a single system to collect data on charter, choice, and public school performance, assignment of a unique identification number to each child, and specifically requiring data collection to measure the progress of students with disabilities. The proposed system enables the state to track an individual student's progress regardless of the location of the student (public, charter, or parental choice program school).

Standardized data collection is critical to help families of students with disabilities compare public, charter, and private schools participating in a parental choice program option and make the best choice for their child's success. Families need accurate data specific to how students with disabilities perform at all schools in order for a choice program to be fully effective. Disaggregating for students with disabilities and other sub-groups, and clearly reporting that information publicly, gives families the accurate information they need to make informed choices about schools' true ability to educate their children.

In order to provide accurate, comparable information to parents, the definition of "disability" must be universal across public, charter, and choice school options. BPDD strongly recommends using the

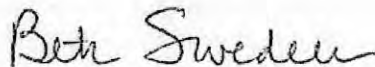
definition of disability contained in the federal Individuals with Disabilities Education Act (IDEA), as public and charter schools are already required to comply with this law and definition for reporting and other purposes.

In addition, we strongly support the required collection and dissemination of best practices, and request DPI ensure that best practices related to the promotion of college and career readiness of students with disabilities are a priority.

BPDD also recommends that the amount of per-pupil funding the state provides through the equalization formula for educational services accompany the student, should it become necessary for the student to change schools during the school year. The school providing the educational services should be the recipient of the funds intended to support the success of the individual student – this “money follows the student” concept is particularly important for students with disabilities who may require additional staffing or resources in order to succeed.

Currently, the school at which the student begins the school year can continue to receive state funding for a considerable period of time, regardless of whether the student stays at that school. Families report to BPDD that frequently parents of students with disabilities move their children from voucher programs back into public schools upon discovering a lack of special education supports. When families of students with disabilities need to make different choices about their child’s education during the school year, financial support for those schools families deem to offer the best services for students with disabilities should accompany the student within a reasonable timeframe.

Thank you for your consideration,

A handwritten signature in cursive script that reads "Beth Swedeen".

Beth Swedeen, Executive Director
Wisconsin Board for People with Developmental Disabilities

Statement of Bradley Carl, PhD
Researcher and Associate Director
Value-Added Research Center (VARC)
University of Wisconsin-Madison

Chairman Olsen and other members of the Senate Committee on Education, thank you for the opportunity to comment briefly on SB 286. While there are many important aspects of this bill, I will focus my comments on Section 115.39(2), related to the establishment by DPI of a comprehensive school and district accountability system (based on revisions to the existing state Report Cards) beginning in the 2014-15 school year. In particular, the provision related to the measurement of growth in student achievement is of interest:

Growth in pupil achievement in reading and mathematics [shall be] calculated using a methodology that includes demographic controls.

There are a number of ways to measure student achievement, each of which has clear advantages and disadvantages. These include attainment measures (point-in-time measures such as proficiency rates), simple growth measures (measuring change between two points), and more advanced growth measures that generally apply statistical controls for students' prior achievement, and sometimes for student demographic factors as well such as special education status and poverty level.

The current state Report Card measures growth using a statistical method known as Student Growth Percentiles (used in conjunction with an approach known as "value tables"), which awards (or penalizes) schools based on whether the amount of growth they show across years on the WKCE exceeds predictions. SGPs are conceptually very similar to value-added models, and generally produce similar results over a large enough sample of schools, although there are several key technical differences between the two models. There is no obvious answer as to which approach to measuring achievement is most correct, although most researchers would agree on several key points:

- Choices around which growth model to use - and which other measures of school performance comprise a larger system of school accountability - should be informed and driven by the intended uses of the information (e.g., lower-stakes purposes such as general public information vs. higher-stakes purposes such as school closures, staff reassignment, conversion to charter status, etc.). In other words, use the right tool for the right job.
- While most types of advanced growth models will produce similar results for a large enough sample of schools (with correlations generally in the 0.8 – 0.9 range), different models are not random or neutral with respect to which types of schools will fare better or worse. Specifically, schools which serve higher concentrations of low-income and non-white students will generally look worse when growth models that do not control for these variables - which are generally beyond the ability of schools to control - are not accounted for in the model.
- Accountability systems can and should clearly reinforce the notion of high expectations for all students, with attainment-based measures such as proficiency rates serving this purpose in a clearly-understood manner. Both the intended and unintended consequences of using growth models and larger accountability systems for higher-stakes decisions (such as closing schools) should be carefully considered, however. How confident are we, for example that a school with a high Report Card score is truly an effective school, as opposed to one which serves more

advantaged students? Conversely, should schools with low scores be closed, reorganized, or have staff reassigned? How long do we wait for evidence of improvement? Similarly, SB 286 calls for schools with high Report Card scores to serve as examples of “best practices” that should be disseminated to other schools. If the “best practice” that makes the school’s performance look good amounts to limiting the number of low-income students they serve, however, or if low Report Card scores have the effect of discouraging effective and prospective teachers and principals from serving them, it is not clear that the public interest is being served.

The U.S. Department of Education has discouraged (if not forbidden) states from using, for the purposes of ESEA waivers, growth models which control for student demographic factors (although the finality of this guidance is worth confirming, as many states engaged in negotiations with the Department during the waiver review process). I believe this position is unfortunate and misguided, even if well-intentioned, but there are other features of advanced value-added models that are worth considering in the Wisconsin Report Card that are clearly allowed. These include provisions for test measurement error, which acknowledges and corrects for the fact that state standardized tests such as the WKCE are far less precise measures of student ability for the lowest-performing and highest-performing students than they are for students performing near the proficient level.

Above and beyond the question of which growth model is most appropriate for use in a revised State Report Card, a broader conversation worth continuing is what patterns of results are evident in by the existing Report Card (the second version of which will be released shortly). One conclusion which seems clear is that a strong and negative relationship exists between a school’s overall performance and its poverty level (with correlations in the -0.7 range), and even stronger negative correlations between poverty and several of the Priority Areas upon which the overall score is based. In particular, Priority Area 1 (Student Achievement, which essentially reports WKCE proficiency rates) has a very strong negative correlation of -0.8 to school poverty, and Priority Area 2 (On Track/Postsecondary Readiness, which is based on selected WKCE proficiency rates, attendance rates, and ACT participation and performance) is correlated to poverty level at -0.55.

In other words, higher poverty rates = lower scores on the overall score as well as these two Priority Areas which contribute to the overall score. This is an accurate portrayal of what these two indicators are measuring, of course; research has documented for many years that higher poverty rates are usually associated with lower performance on attainment-based measures. A question worth raising is whether the use of two Priority Areas based almost exclusively on attainment-based measures (which are highly correlated with each other, indicating that they are measuring largely the same thing) creates the proper incentives for high-poverty schools to hold high expectations for their students and improve – or whether the result is a seemingly endless cycle of required new curricula, replacement of staff, and school closures.

An appropriate next step, which this hearing and SB clearly establish a foundation for, would be a larger conversation among key stakeholders - including DPI, legislative leaders, educators (teachers, principals, board members), the general public, and researchers – around which objectives, requirements, and uses we have for a state accountability system, and how to best balance the need for high expectations on the one hand with fairness and avoiding unintended consequences on the other. Having (and continuing) this conversation will lead naturally to a discussion of which specific indicators should be included in a Report Card, and how they are weighted relative to one another.

Department of Public Instruction
Testimony on Senate Bill 286: For Information Only
September 12, 2013

Senator Olsen, thank you for holding this public hearing and inviting the public to testify on this important issue. State Superintendent Evers regrets he cannot be here today, but has asked us to provide information on Wisconsin's school and district accountability system on behalf of the Department of Public Instruction (DPI).

It is a transformational time in public education. We're changing what children learn, how they're taught and tested, and how schools and teachers are evaluated. The scope and pace of change is unprecedented, and we're fortunate to start from a position of strength. Wisconsin has top-level ACT scores, "Best in the Midwest" performance on Advanced Placement exams, and graduation rates that are the highest in the nation.

However, nearly 6,000 students drop out of school each year and graduation gaps persist for students of color, students with disabilities, English language learners, and students in poverty. Too many of Wisconsin's youngest students struggle to read, and child poverty and homelessness have reached the highest levels in recent memory.

WORKING TOGETHER TO IMPROVE ACHIEVEMENT FOR ALL KIDS

State Superintendent Evers sincerely believes to meet these challenges we must find ways to work together to improve educational outcome for our kids. To that end, he has worked with Governor Walker, legislators from both political parties, business leaders and educators on school accountability, educator effectiveness and the Read 2 Lead efforts.

Diverse group promises to work together to forge a new system. In July 2011, elected officials, school leaders and education advocates released a joint editorial outlining the case for accountability reform that includes all publicly-funded schools.

"We believe that every school enrolling publicly funded students - traditional public schools, charter schools or private schools in choice programs - should be part of this new accountability system. Too often, Wisconsin's education reform conversation has centered around which type of school is better, instead of how to ensure a world-class education for all Wisconsin children, regardless of which school they attend. Ultimately, nothing is more important than student learning, and we believe all schools should be held accountable for this above all else."

-- *By Scott Walker, Tony Evers, Luther Olsen, Steve Kestell, John Ashley, John Gee, Matt Kussow, Jim Lynch, James Bender, Gary Myrah, Miles Turner, Woody Wiedenhoef*

These leaders came together and formed a School and District Accountability Design Team composed of statewide stakeholders from all education sectors to think through this new accountability system. The challenge was to not only address low-performing schools, but also to empower parents and educators to understand, improve and hold accountable the schools in their communities.

The results of this work are new school report cards designed to provide meaningful information about school performance for a wide-array of audiences: parents, educators, policy-makers and taxpayers. In an increasingly complex education eco-system, where parents can choose among traditional public, charter, choice and virtual schools, or open enroll into another district, the need for a meaningful, understandable and comparable school report card has never been greater.

To that end, Wisconsin's school report card cover page provides a simplified, color-coded rating along with summary data on important metrics such as student achievement, growth, gap closing and college or career readiness. This provides an important "snap-shot" look at school performance, while still providing a more substantial analysis to help parents make the best decision for their family.

The subsequent "report card detail" provides educators, policy-makers and interested members of the public with more robust data around student performance. Data is disaggregated to show how different students perform within a school and detailed growth information demonstrates how quickly students are improving.

Including all publicly-funded schools has been an ongoing process. The genesis of the report card rests with the 2011 Design Team, which worked to outline a unified system of accountability (state and federal) for all publicly-funded schools as part of the new flexibility offered under the federal No Child Left Behind (NLCB) waiver. While much progress was made, consensus was not reached on all items.

In an effort to move forward, the DPI used the Design Team's work to inform the federal waiver application, while advocates and legislators worked to craft a parallel state accountability bill. However, because no state legislation was passed, choice schools were not included in the final version of Wisconsin's accountability system.

However, the 2013-15 State Budget (2013 Wisconsin Act 20) proposed by Governor Walker and adopted by the legislature (1) required choice schools to participate in the state data system within five years; (2) statutorily defined the report card's four priority areas and five rating categories; and (3) included choice schools in Wisconsin's accountability system. Consequently, the proposed accountability bill (SB 286) primarily is designed to provide greater clarity around the implementation of requirements already adopted in Act 20.

ACCOUNTABILITY IMPROVES OUTCOMES FOR ALL STUDENTS & SCHOOLS

Publicly-reported information enhances competition and improves choice student performance. Families need access to easily understandable, high-quality information about all the schools in their communities (public and private) in order to make the best choice about where to enroll their children.

Dr. Devon Carlson, who has worked on the School Choice Demonstration Project and written extensively about charter schools and open enrollment, recently published new research that indicates the performance measures adopted under 2009 Wisconsin Act 28 have significantly improved student performance in the Milwaukee Parental Choice Program (MPCP).

"Specifically, drawing on student outcome measures generated by an evaluation of the MPCP—the nation's oldest and largest urban school voucher system—we estimate the effect of a performance measurement system requiring private schools to (1) administer standardized tests to all voucher students in grades 3–8 and 10 and (2) submit the results to the state's supervising agency for review, analysis, and public reporting. Results of our analyses demonstrate that the performance measurement system produced gains in student achievement and that the

magnitudes of these gains are substantial.... [T]he institutional efforts to increase test scores in the short term could be followed by longer-term quality improvements generated by families' use of the newly provided information to make better schooling decisions." (Carlson, et. al. 2013)

Based on these findings, expanding the school report cards to include choice schools will help clarify school performance and continue to improve student performance.

ACCOUNTABILITY BILL (SB 286)

Ensuring accuracy and fairness through high quality data. Act 20 required choice schools to integrate into the state's data system within five years. That timeline was based on the implementation of a single-vendor statewide student information system (SSIS). However, the Joint Finance Committee amended the budget to create a multi-vendor system, which will result in the state upgrading much of its existing infrastructure and enabling all schools to use the vendor of their choice.

Since there is no longer a mandatory SSIS, the proposed legislation establishes a new timetable for choice schools to provide report card data beginning in 2014-15. Data collection is restricted to choice students only and schools may choose any commercially available data system they wish. Additionally, the implementation of a new student identifier system will significantly improve data accuracy, especially as students migrate among schools.

Please note, it takes a minimum of two years of data (preferably three) to calculate school report cards, and the minimum group size (i.e., the smallest number of students in a group for which a report card can show data) is 20. This ensures that as many students as possible are included in performance results, while still protecting the privacy of the students.

The timeline outlined in the bill will improve data quality and create a uniform transition for all choice schools so as not advantage any particular institution.

Defining a continually improving school report card. One of the greatest flaws of NCLB was the way in which it locked in rigid, unrealistic student achievement goals and did not allow the accountability system to evolve and incorporate new metrics like student growth. The new Wisconsin accountability system was designed to be more dynamic, adapting to new assessments and incorporating data elements such as military readiness exams and industry certifications for high school students as they become widely available.

As previously noted, the new report cards are governed by the NCLB waiver process. Methodologies and calculations are reviewed by an independent state-level technical advisory committee (TAC) and are subject to approval by U.S. Department of Education (ED).

Accountability systems by their nature tend to be complex. While maintaining simplicity is an important goal, it often fails to reflect the diverse challenges schools faces and undermines the validity and fairness of the system. In contrast, using multiple metrics, multiple years of data, and weighting produces a significantly more accurate and robust accountability system. Transparency is paramount with all the documents, processes and materials published online. Simplicity is preserved by organizing the final scores into easily understood, color-coded rating categories presented on a parent-friendly report card cover page.

Meetings, trainings and webinars were held across Wisconsin to familiarize schools with the new report cards, and new resources were created to help parents, educators and policy-makers understand

the report cards. The interpretive guide provides a narrative explanation, while the technical guide is a step-by-step walkthrough of the calculations.

2012-13 Report Cards and Resources (<http://reportcards.dpi.wi.gov>)

- [Interpretive Guide](#) - (8/7/13)
- [School Technical Guide](#) - (8/2/13)
- [District Technical Guide](#) - (8/7/13)
- [Parent Guide](#) - (8/7/13)
- [Report Card at a Glance](#) - (8/7/13)
- [FAQ](#) - (8/7/13)
- [What's New](#) - (8/7/13)
- [Sample Parent Letter](#) - (8/7/13)
- e-Learning Module: A Guide to Wisconsin's School Report Card - coming soon
- e-Learning Module: A Guide to Wisconsin's School Report Card (iPad Version)

In addition to the four priority areas and five rating categories, which we codified in statute under Act 20, the proposed legislation prescribes the data elements in the report card and how they can be used. Additionally, the Legislative Audit Bureau (LAB) is required to annually review any changes to the report calculations to ensure equitable treatment.

The DPI welcomes the annual LAB review and will continue to provide annual legislative briefings on the report cards. LAB review will provide additional external accountability and is same process the legislature adopted with the School Choice Demonstration Project. However, unnecessary prescription of report card calculations will limit the DPI's ability to improve the system based on user feedback, which will be particularly challenging as the state moves to the new next generation and ACT assessments in 2014-15.

Improving or removing chronically low-performing schools. One accountability element not addressed in the 2013-15 State Budget was chronically low-performing schools. Under current law, traditional public and independent charter schools that are identified for improvement for four consecutive years are subject to state intervention under WSS 118.42. Statute requires school boards to implement certain reform strategies and provides the State Superintendent authority to intervene if schools do not improve.

The proposed bill also limits how long any school can persist in the lowest performance category (Fails to Meet Expectations) on the school report card. This is how Wisconsin identifies schools for improvement under the new accountability system. After three years, schools must implement an improvement plan and after three additional years (six years total) charter and choice schools become ineligible for public funding; however, these schools may continue to operate as private entities educating students.

In contrast, public schools must close. However, school districts may create a charter school to replace the low-performing public school in order to meet their constitutional obligation to educate students in the community.

Charter schools improvement activities are directed by the authorizing entity, while choice schools are required to work with their accrediting agency. Per current law, public schools are subject to turnaround efforts under WSS 118.42.

The proposed consequences for chronically low-performing schools are prescribed by statute. The DPI will not have (and is not seeking) any discretionary authority.

STUDENT GROWTH v. VALUE-ADDED

In response to ongoing questions around including value-added in the state accountability system under the federal NCLB waiver, DPI consulted with the U.S. Department of Education (ED), the Council of Chief State School Officers (CCSSO) and other waiver states on the use of a value-added growth model in accountability systems.

ED will not approve growth models like value-added that use demographic controls. According to ED's ESEA Flexibility FAQ, "the Department anticipates that it will approve only growth targets... that do not take into account student background characteristics." (p. 36)

Six states use a value-added growth model: Louisiana, North Carolina, South Carolina, New Mexico, Ohio and Tennessee. However, states were required to remove the demographic controls from their value-added model in order to qualify for the federal waiver.

Specifically, New Mexico notes in its amended waiver request: "New Mexico will no longer condition school status or student growth on student background characteristics and will instead weight growth based on prior student achievement." This is essentially how Student Growth Percentiles (SGPs) are calculated.

Introducing value-added would disrupt the current system while only having a marginal impact on growth scores. The primary argument in favor of using value-added in the accountability system is that demographic controls would help mitigate the high correlation of school report card scores and poverty. However:

1. ED will not allow demographic controls in growth models;
2. Using value-added without demographic controls does not make sense, would introduce new costs, and would be less helpful for school improvement efforts than SGPs, which offer student-level growth projections; and
3. School report cards are a multi-measure system with growth accounting for 25 percent of the score. Even with demographic controls, incorporating value-added into the accountability system would only marginally reduce the poverty correlation.

As such the DPI recommends against replacing SGPs with a value-added approach within the accountability system at this time. Based on the evidence, it is clear that ED will not approve waivers that use demographic controls in their growth model. However, DPI does support publicly providing value-added data to schools and parents through WISEdash.

We are happy to answer any questions you may have, and please feel free to contact the DPI if you have additional questions or want to discuss Wisconsin's accountability system in greater detail.

Accountability for schools

Diverse group promises to work together to forge a new system

By Scott Walker, Tony Evers, Luther Olsen, Steve Kestell, John Ashley, John Gee, Matt Kussow, Jim Lynch, James Bender, Gary Myrah, Miles Turner, Woody Wiedenhoef

July 9, 2011

Wisconsin is pursuing needed educational reforms focused on improving student achievement and graduating students prepared for future success. And we're working to implement rigorous new academic standards in line with high-performing countries.

We're also reforming and modernizing student assessments, investing in comprehensive and groundbreaking statewide data systems that will improve teaching and are working together to create fair, meaningful educator evaluation systems that will foster effectiveness. Most recently, we've joined together to improve early reading outcomes for all Wisconsin children.

As Wisconsin embraces these critical reforms, one of the most important components remains unchanged: how we hold schools and districts accountable for the performance of their students. For the past decade, the federal No Child Left Behind law has forced one-size-fits-all mandates and labels that are not improving our schools.

On the contrary, if something doesn't change, every public school here and nationwide soon will be labeled as "failing" and forced to implement ineffective sanctions. While there are certainly schools in need of improvement, the current accountability system is clearly broken.

For example, consider a high-poverty school that moves its eighth-graders, who were previously reading at a fourth-grade level, to a seventh-grade reading level in one year - a tremendous achievement. That school and those teachers should be held up as exemplary. Our current federally mandated accountability system, which doesn't recognize growth as an important factor in school success, would actually label that school as failing.

Further, imagine a high school collaborating with local colleges to offer rigorous college preparatory coursework and opportunities for students to earn college credit, as well as extensive partnerships with local employers for student apprenticeships and industry certifications. That school's students are truly being prepared for college and career success, but our current accountability system ignores this critical goal and restricts innovation.

As Congress debates NCLB reauthorization and U.S. Education Secretary Arne Duncan signals a new willingness to provide states flexibility to advance reform, education and political leaders from across Wisconsin are joining together to reform this broken system.

Starting this summer, we have agreed to work collaboratively to develop a new accountability system focused on graduating every child ready for college or career. Over the coming weeks and months, we will work together to

develop a model that is right for Wisconsin.

This system will hold schools accountable not just for whether students are performing at grade level, but also for how much student performance is growing from year to year. We also will consider other valid indicators - beyond test scores - that measure progress to college and career readiness, such as advanced coursework, college credit or industry certifications earned while in high school and improved dropout and graduation rates, for example. By considering multiple measures of student success, we can provide accurate, transparent and comprehensive information that promotes improvement in every school.

Parents and community members deserve to know which schools are succeeding and which are not. Most important, we can use this information to provide appropriate support to low-performing schools and ensure all students and schools are continuously collaborating and improving.

We believe that every school enrolling publicly funded students - traditional public schools, charter schools or private schools in choice programs - should be part of this new accountability system. Too often, Wisconsin's education reform conversation has centered around which type of school is better, instead of how to ensure a world-class education for all Wisconsin children, regardless of which school they attend. Ultimately, nothing is more important than student learning, and we believe all schools should be held accountable for this above all else.

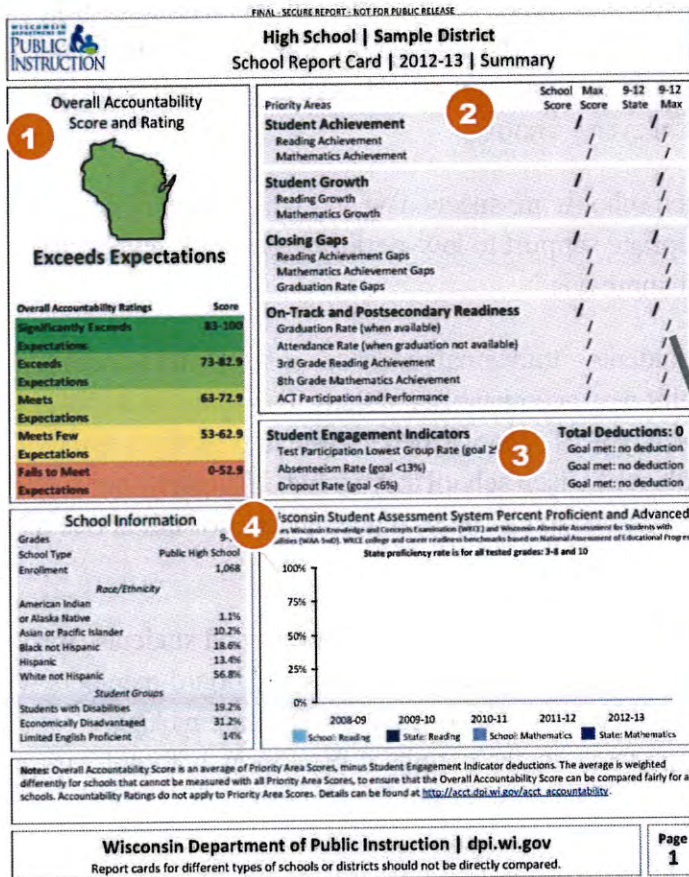
We also know that we can't improve education in our state without listening to the parents and students who depend on our schools, the educators who work in our classrooms, the administrators and board members who drive local decisions and the community members who support strong schools. We will create multiple opportunities for participation and feedback, and we hope that you, the people of Wisconsin, will contribute to this effort.

On some issues, there are many differing views on how to move Wisconsin forward. As we strive to make our state a better place for future generations, we can and must find a way to work together to advance our shared priorities. We all believe that each and every Wisconsin child deserves a world-class education.

By working together to create an accurate, fair and innovative accountability system for schools that drives instructional improvement and greater levels of college and career readiness, we will help all Wisconsin children thrive.

This op-ed was submitted by Gov. Scott Walker; state school Superintendent Tony Evers; state Sen. Luther Olsen, Senate Education Committee chairman; state Rep. Steve Kestell, chairman of the Assembly Education Committee; John Ashley, Wisconsin Association of School Boards; John Gee, Wisconsin Charter Schools Association; Matt Kussow, Wisconsin Council of Religious and Independent Schools; Jim Lynch, Association of Wisconsin School Administrators; James Bender, School Choice Wisconsin; Gary Myrah, Wisconsin Council of Administrators of Special Services; Miles Turner, Wisconsin Association of School District Administrators; and Woody Wiedenhoeft, Wisconsin Association of School Business Officials.

REPORT CARDS AT A GLANCE



1 OVERALL ACCOUNTABILITY SCORE AND RATING

The Overall Accountability Score (0-100 points) is calculated by combining the weighted average of the Priority Areas minus any Student Engagement Indicator deductions. This Overall Score determines a school's placement in one of five rating categories: Significantly Exceeds Expectations, Exceeds Expectations, Meets Expectations, Meets Few Expectations, and Fails to Meet Expectations.

2 PRIORITY AREAS

There are four individual Priority Areas that each have multiple components. These Priority Areas are combined to form a weighted average. Wisconsin schools are diverse in size, grade levels, and student populations. To account for this diversity, factors are weighted differently.

The State Score comparison is given for informational purposes only. It does not factor into the District or School Score.

3 STUDENT ENGAGEMENT INDICATORS

A district or school will receive deductions for not meeting Student Engagement Indicator Goals. These deductions are subtracted from the Priority Areas' weighted average.

OVERALL ACCOUNTABILITY SCORE = PRIORITY AREAS' WEIGHTED AVERAGE – STUDENT ENGAGEMENT INDICATORS

4 Other Report Cards Data

The School or District Information and Wisconsin Student Assessment System (WSAS) graphic is presented here for informational purposes. The WSAS graphic is a five-year, grade-specific history of the percent of a district or school's students who were proficient in Reading and in Mathematics. In 2011-12, the proficiency cut points were aligned with higher college and career readiness benchmarks.

- ✓ The Report Cards are products of Wisconsin's accountability system and are a part of DPI's Agenda 2017 - a five-year strategic plan designed to ensure that every child graduates college and career ready.
- ✓ This system uses multiple measures to help districts and schools identify areas of strength and where they need improvement.
- ✓ To protect student privacy, data for groups of fewer than 20 students are replaced by asterisks on publicly displayed report cards.
- ✓ "NA" is used when data is Not Applicable.
- ✓ A school is described as "Not Rated" when DPI does not have enough data for the school. This could be because the school is new, too small, or because it is an alternative school. "Not Rated" is not a negative rating.
- ✓ To learn more about school and district report cards, please visit: http://acct.dpi.wi.gov/acct_accountability.

What's New for the 2012-13 Accountability Report Cards?

The Department of Public Instruction (DPI) first released School Report Cards in Fall 2012, representing 2011-12 accountability. For 2012-13, DPI will again release School Report Cards as well as new District Report Cards. This document summarizes the changes made since last year's accountability reporting and provides answers to key questions. Please note that score differences between last year and this year *may* be due to calculation changes, not due to actual change in student performance. Additional report card resources can be found online at <http://oea.dpi.wi.gov/>. Further questions may be directed to oeaemail@dpi.wi.gov.

District Accountability – NEW

District accountability will be calculated for the district as a whole; it will not be aggregated from the school level results. In the past, district accountability looked at elementary, middle, and high school levels. This will no longer be done. Rather, the district will be treated as “one big school” responsible for all students in the district for the purposes of the District Report Card.

Schools that are districts (e.g. independent charters or union high schools) will have report cards produced using the school report card methodology, as they really are a single school, and their report cards will include a note indicating that the report card represents both school and district accountability for that entity.

District Report Card

District Report Cards will look like the School Report Cards with limited exceptions that acknowledge context and provide additional district-level information:

- Most districts will see both attendance and graduation scores in the *On-Track/Postsecondary Readiness* Priority Area (as opposed to the School Report Card, which uses one or the other), since most districts encompass all grade levels and have both graduation and attendance data.
- Within-district student mobility data will be provided for informational purposes on District Report Cards. Districts may find this data helpful because research has found that high mobility rates are correlated with lower student achievement.

Student Engagement Indicators – ADJUSTMENTS

Absenteeism Rate

The Absenteeism Rate indicator will mirror the Test Participation indicator by looking at both a current year calculation and a three-year calculation. A school missing the goal for both the current and three-year calculations will receive a deduction. For students to be counted in the absenteeism calculation, they must be enrolled at least 45 days (increased from 20 days). This reflects one quarter of the school year and minimizes the effect of small cell sizes.

Dropout Rate

The Dropout Rate indicator will mirror the Test Participation indicator by looking at both a current year calculation and a three-year calculation. A school missing the goal for both the current and three-year calculations will receive a deduction.

Priority Areas – ADJUSTMENTS

Non-Tested Students

All non-tested students (including those whose test was invalidated or who are opted out of testing by parents), will be removed from all achievement-based calculations (not counting “against” a school or district). This change will be applied retroactively for all years of any calculation. The denominator for these calculations is FAY tested students only. FAY students are those who are Full Academic Year (determined by 3rd Friday count date to 3rd Friday count date, [http://lbstat.dpidev.wi.gov/lbstat_isescalc#months_in_school]). This method reflects what was used under the old (AYP) accountability system. This change affects the *Student Achievement* and *Closing Gaps* Priority Areas, as well as—for schools with 3rd grade reading and 8th grade mathematics results—the *On-Track/Postsecondary Readiness* Priority Area.

Please note that there is no change in how non-tested students are treated under Test Participation. All non-tested students (including those with invalidated tests or who are opted out of testing by parents), will be counted as not tested for the test participation calculation (counting “against” a school or district). For these calculations, the denominator is all enrolled students at time of testing.

Closing Gaps Priority Area

With the goal of providing *Closing Gaps* data for more schools, particularly schools that have a majority-minority population, comparisons will be made between targeted subgroups at a school-level to the comparison group at the state-level (rather than subgroups within a school to other subgroups in the same school). Specifically, target subgroups (i.e., non-white racial/ethnic groups, economically disadvantaged, English learners, and students with disabilities) at a school-level will be contrasted against the performance of the comparison group at the state-level. For example, students with disabilities in a school will be compared to students without disabilities at the state level. This change will be applied to all schools, not only those schools with majority-minority populations.

Additionally, change in gaps will be calculated across specific test administrations rather than by comparing *Student Achievement* Priority Area scores across years. Instead of comparing two “buckets” containing three years of data each, we will look at progress across the individual three years. This means that the rate of improvement of the subgroup will be compared to the rate of improvement of the comparison group. In order to still reward very high performing subgroups who may not be able to improve as quickly, we implement a hold-harmless feature which treats very high performing subgroups like their fastest improving counterparts.

Data Downloads – NEW

Downloadable data files will be provided for each School Report Card and District Report Card.

- The secure versions of these download files will contain unredacted data and will be available in SAFE (the Secure Access File Exchange). Because they may contain personally identifiable student data, they must be treated as secure files at all times. The secure data files in SAFE will contain data for each page of the secure report card.
- The public version of the data files—as was done last year—will contain redacted data to protect student privacy, and will be available on the Report Card webpage. The public versions will contain all of the data on the summary page of the report card (page 1 only).



**School District of
West Allis-West Milwaukee, et al.**
EDUCATIONAL ADMINISTRATION CENTER

September 12, 2013

On behalf of Kurt Wachholz, the Superintendent of Schools in the West Allis-West Milwaukee School District, I am providing testimony on Senate Bill 286 and the four components of this proposed bill.

Component 1: Multiple Student Information System Vendor Proposal

We have significant concerns regarding the multiple-vendor proposal for the state-wide Student Information System. Our concern regarding the current Student Information System proposal is:

- In the 2011-2013 biennial budget Governor Walker recognized the need and importance of a single Student Information System. This was passed by the legislature and signed into law as part of Act 32.
- The State then conducted an extensive RFP and their recommendations identifying a system that would fit the parameters and expectations established by both the Department of Administration and the Department of Public Instruction.
- It established one single data system in which every school district in the state participates and creates shared interfacing between school districts and a digital platform for all student information. This allows for immediate and necessary exchanges of data addressing student mobility, learning etc. in this era of high stakes and expanded accountability.
- The vendor selected provided the highest technical score and the lowest bid cost of the seven companies competing.
- It is our understanding that the intent of Act 32 and the RFP process was to identify a vendor of choice. If in fact now the legislature has determined that our state maintains the opportunity for a multi-vendor system we are proposing consideration of the following: The vendor of choice be as recommended through the TFP process as directed by ACT 32 and other vendors who want to be part of the Student Information System be required to develop and provide the interfacing necessary and hold the responsibility to connect with a common language to this vendor identified through the search process so that we truly have a complete identified student information system.

Component 2: Accountability

Our Public School District supports the School and School District Accountability proposal put forth based upon the following pretext:

- The current State Report Card does not reflect the varied demographics of our state and the realities those broad demographics bring to the table regarding student learning. What research tells us regarding that learning is that value-added adjustments would be significant for districts with significant low socio-economic status of which the current Report Card does not. The report card as established presently lends itself to more of an affluent demographic perspective. The proposed legislation also honors the recommendations of the State Task Force in this area.
- There are multiple measures to determine performance such as value-added data with pupil achievement and growth over time in reading and math, measures in college and career readiness, closing achievement gaps and graduation rates.
- This legislation presents common accountability measures for independent charter schools as well as those schools who choose to participate in the Parental Choice Program and receives public tax dollars and supports the accountability expectations of Act 20. We also strongly feel that common accountability between the public/private sector is extremely important.

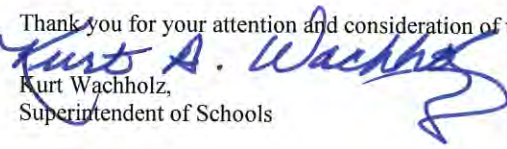
Component 3: Consequences

This proposal has provisions for public schools as well as charter and choice schools which are a positive step in leveling the playing field and making everyone play by the same rules. However additionally, it is imperative that this legislation direct the DPI to use "current" school year data. Match all data used for accountability the student's information for the current school year. Presently data that is used in some areas does not match the cohort of students being assessed. We are in support of the measures proposed for low-performing schools and school districts as well as the identified interventions. For instance, achievement data is from current year students while attendance data is compiled from previous school year students, they should be reflective of the identical cohort of students, not multi-year data in an accountability where student performance is based on adding and subtracting points based upon individual students.

Component 4: Charter Schools; Contracts

This proposal for charter schools is a positive step in leveling the playing field and making everyone play by the same rules. In addition, our District believes that the charter school contracts should be maintained in their current form with added accountability. We also do not believe that any changes should be forwarded which would essentially make all charter schools independent charters. It is important to maintain independent ability under public school authorization through instrumentality charters which are separate from independent charters.

Thank you for your attention and consideration of this matter. Please contact my office with any questions.


Kurt Wachholz,
Superintendent of Schools



School Administrators Alliance

Representing the Interests of Wisconsin School Children

TO: Senate Committee on Education
FROM: John Forester, Director of Government Relations
DATE: September 12, 2013
RE: Senate Bill 286 – School Accountability

Good morning Mr. Chairman and members of the committee. Thank you for this opportunity to provide testimony on Senate Bill 286, relating to a school and school district accountability system. My name is John Forester. I am the Director of Government Relations for the School Administrators Alliance (SAA). In that capacity, I represent virtually all of the public school administrators in Wisconsin.

The SAA was not a party to the negotiations surrounding the development of SB 286. Therefore, I don't consider myself to be an expert on all the details of this complicated legislation.

Promises to keep, Mr. Chairman. That's what I believe today's public hearing is all about. And, that's what I believe SB 286 is all about. Promises to keep.

What do I mean by that?

A little more than two years ago, many of the people in this room were involved in the creation of the state's Accountability Design Team charged with crafting a new and innovative accountability system for all Wisconsin schools that educate publicly funded students. This new accountability system was envisioned as a replacement for the flawed system under No Child Left Behind (NCLB), which only measured student attainment (not growth) and only included public schools.

I would like to quote briefly from an op-ed piece issued in early July 2011 by many of the members of the Accountability Design Team.

“We believe that every school enrolling publicly funded students – traditional public schools, charter schools or private schools in choice programs – should be part of this new accountability system.”

Please note, there was no discussion of competing accountability systems, nor of preferential treatment for one or more types of schools in the system.

An Alliance of:

This op-ed was submitted by Governor Scott Walker; State Superintendent Tony Evers; state Senator Luther Olsen, Senate Education Committee chairman; state Representative Steve Kestell, chairman of the Assembly Education Committee; John Ashley, Wisconsin Association of School Boards; John Gee, Wisconsin Charter Schools Association; Matt Kussow, Wisconsin Council of Religious and Independent Schools; Jim Lynch, Association of Wisconsin School Administrators; James Bender, School Choice Wisconsin; Gary Myrah, Wisconsin Council of Administrators of Special Services; Miles Turner, Wisconsin Association of School District Administrators; and Woody Wiedenhoft, Wisconsin Association of School Business Officials.

Accountability to what?

It seems to me that any discussion of that question leads to the state's education policy objective. In my estimation, that objective is not choice or parental satisfaction or educator effectiveness or adequate school funding. Rather, the ultimate objective of state education policy must be improving student achievement for all Wisconsin school children or something darn close to it.

How do you know you are meeting the objective?

By measuring student performance and student growth, and holding accountable those schools responsible for educating publicly funded students to higher levels of achievement.

Mr. Chairman, it seems to me that, in a nutshell, Senate Bill 286 is designed to measure student outcomes, to hold schools accountable for those outcomes and to provide accurate, transparent and comprehensive information that promotes improvement in every school.

Mr. Chairman, to date I have not heard anyone express deep love for SB 286. And I have to admit, I don't love it either. But, I greatly appreciate the fact that you and Representative Kestell have worked long and hard and are finally bringing this bill forward. Accountability is hard. This is a difficult, contentious issue on which to legislate. Particularly so, since it comes on the heels of education policy battles waged and decided during the budget session and with the promise of future battles to come.

I believe a lot of people out there would like to see more contentious items included in this bill under the umbrella of "accountability." I'm certain I have many members that fall in that camp.

My response is this. Those additional accountability items are not before us today. And, they may not come before this committee this legislative session. Therefore, for the purposes of adopting and implementing a much better school accountability system than that which we have had under No Child Left Behind, I think we all need to get over it and move forward.

Promises to keep.

Passage of SB 286 will keep our promise to the students, parents and educators of Wisconsin...a promise first espoused more than two years ago by Governor Walker, State Superintendent Evers, state legislators and the relevant interest groups seated here today. What's more, passage of SB 286 will help you, as Wisconsin lawmakers, to uphold your fiduciary responsibility to the taxpayers of the state of Wisconsin.

Mr. Chairman, the SAA supports passage of SB 286 as it is currently written. If during the course of the legislative process, it changes even one iota, we will of course consider those changes and reevaluate our position accordingly.

Thank you for the opportunity to testify today. If you should have any questions regarding the SAA's position on SB 286 please call me at 608-242-1370.



Accountability for schools

Diverse group promises to work together to forge a new system

By Scott Walker, Tony Evers, Luther Olsen, Steve Kestell, John Ashley, John Gee, Matt Kussow, Jim Lynch, James Bender, Gary Myrah, Miles Turner, Woody Wiedenhoef
July 9, 2011

Wisconsin is pursuing needed educational reforms focused on improving student achievement and graduating students prepared for future success. And we're working to implement rigorous new academic standards in line with high-performing countries.

We're also reforming and modernizing student assessments, investing in comprehensive and groundbreaking statewide data systems that will improve teaching and are working together to create fair, meaningful educator evaluation systems that will foster effectiveness. Most recently, we've joined together to improve early reading outcomes for all Wisconsin children.

As Wisconsin embraces these critical reforms, one of the most important components remains unchanged: how we hold schools and districts accountable for the performance of their students. For the past decade, the federal No Child Left Behind law has forced one-size-fits-all mandates and labels that are not improving our schools.

On the contrary, if something doesn't change, every public school here and nationwide soon will be labeled as "failing" and forced to implement ineffective sanctions. While there are certainly schools in need of improvement, the current accountability system is clearly broken.

For example, consider a high-poverty school that moves its eighth-graders, who were previously reading at a fourth-grade level, to a seventh-grade reading level in one year - a tremendous achievement. That school and those teachers should be held up as exemplary. Our current federally mandated accountability system, which doesn't recognize growth as an important factor in school success, would actually label that school as failing.

Further, imagine a high school collaborating with local colleges to offer rigorous college preparatory coursework and opportunities for students to earn college credit, as well as extensive partnerships with local employers for student apprenticeships and industry certifications. That school's students are truly being prepared for college and career success, but our current accountability system ignores this critical goal and restricts innovation.

As Congress debates NCLB reauthorization and U.S. Education Secretary Arne Duncan signals a new willingness to provide states flexibility to advance reform, education and political leaders from across Wisconsin are joining together to reform this broken system.

Starting this summer, we have agreed to work collaboratively to develop a new accountability system focused on graduating every child ready for college or career. Over the coming weeks and months, we

will work together to develop a model that is right for Wisconsin.

This system will hold schools accountable not just for whether students are performing at grade level, but also for how much student performance is growing from year to year. We also will consider other valid indicators - beyond test scores - that measure progress to college and career readiness, such as advanced coursework, college credit or industry certifications earned while in high school and improved dropout and graduation rates, for example. By considering multiple measures of student success, we can provide accurate, transparent and comprehensive information that promotes improvement in every school.

Parents and community members deserve to know which schools are succeeding and which are not. Most important, we can use this information to provide appropriate support to low-performing schools and ensure all students and schools are continuously collaborating and improving.

We believe that every school enrolling publicly funded students - traditional public schools, charter schools or private schools in choice programs - should be part of this new accountability system. Too often, Wisconsin's education reform conversation has centered around which type of school is better, instead of how to ensure a world-class education for all Wisconsin children, regardless of which school they attend. Ultimately, nothing is more important than student learning, and we believe all schools should be held accountable for this above all else.

We also know that we can't improve education in our state without listening to the parents and students who depend on our schools, the educators who work in our classrooms, the administrators and board members who drive local decisions and the community members who support strong schools. We will create multiple opportunities for participation and feedback, and we hope that you, the people of Wisconsin, will contribute to this effort.

On some issues, there are many differing views on how to move Wisconsin forward. As we strive to make our state a better place for future generations, we can and must find a way to work together to advance our shared priorities. We all believe that each and every Wisconsin child deserves a world-class education.

By working together to create an accurate, fair and innovative accountability system for schools that drives instructional improvement and greater levels of college and career readiness, we will help all Wisconsin children thrive.

This op-ed was submitted by Gov. Scott Walker; state school Superintendent Tony Evers; state Sen. Luther Olsen, Senate Education Committee chairman; state Rep. Steve Kestell, chairman of the Assembly Education Committee; John Ashley, Wisconsin Association of School Boards; John Gee, Wisconsin Charter Schools Association; Matt Kussow, Wisconsin Council of Religious and Independent Schools; Jim Lynch, Association of Wisconsin School Administrators; James Bender, School Choice Wisconsin; Gary Myrah, Wisconsin Council of Administrators of Special Services; Miles Turner, Wisconsin Association of School District Administrators; and Woody Wiedenhoef, Wisconsin Association of School Business Officials.

Find this article at:

<http://www.jsonline.com/news/opinion/125246789.html>

Archdiocese of Milwaukee

Association of
Christian Schools
International

Christian Schools
International

Diocese of Green Bay

Diocese of LaCrosse

Diocese of Madison

Diocese of Superior

Lutheran Church
Missouri Synod
North Wisconsin District

Lutheran Church
Missouri Synod
South Wisconsin District

Wisconsin Association
of Independent Schools

Wisconsin Conference of
Seventh Day Adventists

Wisconsin Evangelical
Lutheran Synod
Northern Wisconsin District

Wisconsin Evangelical
Lutheran Synod
Western Wisconsin District

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Madison, WI 53703

Sue Nelson, Vice President of the Wisconsin Council of Religious and Independent Schools

Note: Represented the organization on the Accountability Task Force and serve on the DPI's Professional Standards Council.

We strongly support accountability and improved teacher effectiveness within the context of our mission as religious and independent schools, but in reality lack the infrastructure for compliance with providing data in many areas, and do not support the need for requested data in others.

It would be both onerous and invasive to track and provide all of the information referenced in the legislation and would require schools to maintain a dual reporting system for choice and non-choice students for three main reasons:

- As we question the need for some of the data requested, we would not ask all parents to provide it.
- The use of and access to student information in the SIS is of great concern – there are privacy and legal issues to be addressed.
- While some seem confident that current systems or programs used in Choice schools would be compatible with a Department of Public Instruction system, anyone who has dealt with technology in similar circumstances would share a healthy skepticism. The proposed requirement that schools acquire a new system, cost of which is to be determined, or having funding withheld, is more than concerning.

The report card, in many choice schools across the state, only reflects a segment of the student population - often a segment with academic challenges - which renders a distorted picture of student learning and achievement for the entire school. Would any public or private school, or any institution for that matter, accept that?

- In schools with a small number of voucher students, their academic performance, attendance rate, special needs status, etc. is made public for all intent and purposes when used to calculate the school "grade." How is that fair to those children?
- Parents are free to opt out of required testing, yet the school's pupil engagement measure factors in the percent taking the test. In addition, if a parent opts out of the testing, those students are assigned a minimal performance level.

- Choice program private schools are not required, nor can they request, information regarding a students' background on the application, so many student with disabilities, ELLs, and other subgroup populations can go unidentified for a long period of time.
- Calculation of many of the data points requested has not been defined for us.
- Is it appropriate (or legal) for the legislature and/or a government agency to dictate website content of religious or independent institutions?

Finally, this legislation supports diverting federal funds that would normally be subject to equitable participation requirements to focus and priority public schools. It appears we are to mirror the public schools in accountability regulations but are barred from support and funds that normally would be accessible to us.

In closing, this bill attempts to address accountability, but in reality would force private and independent schools into a system that is not operational, clearly defined, or equitable. These requirements will impact a school's willingness to participate in the program, which we know is the desired outcome for some, but limits the educational options for families across the state, the very purpose of the program.



WISCONSIN CATHOLIC CONFERENCE

TESTIMONY ON SENATE BILL 286: SCHOOL ACCOUNTABILITY

Presented to the Senate Committee on Education

By Kim Wadas, Associate Director

September 12, 2013

On behalf of the Wisconsin Catholic Conference, I thank you for the opportunity to provide testimony for information on how Senate Bill 286 would affect our Catholic schools and systems participating in parental choice programs.

The Wisconsin Catholic Conference, along with many of our private school partners, has consistently supported efforts to improve accountability and transparency within the choice programs. Catholic educators recognize that students, families, and communities need access to information on school and student performance. Catholic schools have willingly complied with measures to promote greater program accountability – from ensuring school fiscal viability and sound financial reporting to enhanced accreditation and educator credentialing; and from improved auditing of program compliance to heightened enforcement and penalty provisions for errant schools and officials. As Catholics, we fully support efforts to promote good stewardship of our public resources.

Currently, over 90 Catholic schools participate in choice programs statewide. Under SB 286, these schools would need to procure and maintain a compliant student information system (SIS), through which schools would submit choice pupil data to the Department of Public Instruction (DPI). This data would then be utilized to determine a school's rating under the DPI's school accountability system.

As educators of choice students, we have several concerns as to how this accountability system will serve those students and the larger community, especially in terms of student privacy and the fair assessment of choice students and schools.

Student Privacy - First, SB 286 does not include language to protect student privacy and to prevent the identification of individual students. It is our understanding that private schools cannot invoke the Family Educational Rights and Privacy Act (FERPA) as a means of ensuring the protection of student information from misuse. Therefore, SB 286 should include provisions that establish such protection for student information when stored, published, or transferred by a third-party entity from schools to DPI.

Further, SB 286 requires choice schools to provide data solely on choice students and their assessments. However, choice students are sometimes a small portion of the school population. Moreover, families have the right to opt their choice students out of taking required assessments. Therefore, we ask that information from choice schools be published with a notice that reporting

is limited to data collected on choice pupils and their completed assessments. Information about choice students should not be credited as a reflection of overall school performance.

Student Information - Senate Bill 286 also presumes that private schools can easily obtain student information. However, much of the information required is not currently collected by private schools, partly because they do not have the means to do so.

Catholic schools teach all students and strive to serve as many as their resources will allow. Accordingly, they do not require families to provide this information as it will not effect their children's enrollment in Catholic schools. For example, Catholic schools do not usually record the immigration status of students, and the families of children with special needs in Catholic schools often refrain from identifying their child.

Schools with a limited number of choice students may not be able to identify multiple students within a certain race or ethnic group, or those in need of English language services. Additionally, several private schools do not participate in free and reduced lunch programs. To comply with SB 286, these schools will need to solicit families for their income information. With such a process, new questions arise, such as whether a school will be held responsible if a family mistakenly reports their income.

Lack of Clarity - Senate Bill 286 does not establish the minimum number of choice students that must exist within a school or grade before a calculation can be made. As a result, it is difficult to determine how comparisons will be made within systems of schools that participate in the program. SB 286 also does not distinguish between data collection that is necessary at secondary versus primary schools. And while SB 286 does specify a subgroup size requirement for gap closure measures, it does not define a minimum statistically significant sample size for all measures. Such a definition should exist and limit when DPI is permitted to make an analysis or publish any information regarding a subset of the data.

When there is insufficient data collected, SB 286 permits the DPI to rate a school with a "satisfactory" or "needs improvement" rating, but leaves this determination to DPI's discretion. The bill provides no certainty that a school will be held harmless in terms of their accountability rating if the school does not have information for certain data elements.

In fact, in some instances, insufficient data will result in a penalty for the school. The current accountability system requires that a choice school demonstrate that 95 percent of all choice students have taken state-approved assessments as required by law. However, the previously mentioned opt-out for choice students from testing is a provision of Wisconsin law. Under the accountability system, therefore, choice schools hazard being penalized for honoring parents' wishes and state law.

Even when Senate Bill 286 specifies what reporting requirements choice schools must adhere to, and how choice schools will be sanctioned, it fails to describe how accountability will be measured. Terms such as "college and career readiness" or "pupil engagement" are left undefined. Also, schools are not provided with an appeals process where they may question a determination made by the DPI.

Student Information System (SIS) - Finally, choice schools must begin using a SIS compatible with the most recent version of the Schools Interoperability Framework (SIF) beginning in the 2014-15 school year. Such a system costs \$6 to \$12 per pupil. This is insufficient to cover costs for implementation, maintenance, training, or staff time devoted to data entry. For private schools that currently do not have a SIS, compliance with the law will require finding the system that best serves the schools' needs, meets the requirements of SB 286, is within the school's budget, and can be purchased and brought online with staff training – all in less than a year and without additional funding. Additionally, many schools new to choice programs are already dealing with their first choice state assessments, reporting, and audits this year.

Again, Catholic educators are not opposed to accountability. That is why the WCC is not opposing this legislation at this time. However, data collection in choice schools should be limited to that which is necessary and permits the private school to be unique from other schools.

SB 286 should be modified to incorporate data collection through already-existent mechanisms when possible, such as the online application system (OAS) for choice schools. Choice schools already submit information to the DPI on assessment performance, certain attendance statistics, and limited demographic and enrollment information. These are reasonable reporting requirements, as are others such as graduation data, which when distributed in an unbiased fashion, can aid families in determining whether a school is appropriate for their needs.

By providing greater clarity and specificity in this legislation, our schools and staff participating in choice programs can be more certain of student privacy protection, understand how performance will be measured, and know how results will be published. This will ensure a consistent and transparent system that maintains accountability without altering the unique character and climate of our Catholic schools.

**Testimony on 2013 Senate BILL 286
By Sally Flaschberger
Advocacy Specialist- School and Civil Rights**

Recommendation: Neutral position

My name is Sally Flaschberger and I am special education advocate for Disability Rights Wisconsin in our Milwaukee Office who attends IEP meetings with parents and takes daily calls from families to help them resolve concerns for their children with disabilities in choice, charter and public. I am also a parent of a child with a disability. Our managing attorney, Monica Murphy, was not able to be here today and I was asked to discuss our position on the proposed legislation. I have also been actively involved in the discussion with our agency in the area of school accountability and what that means for students with disabilities across Wisconsin.

Disability Rights Wisconsin is neutral on this bill and would like to discuss some of the areas we see will be effective in holding all schools accountability and other areas we feel could be improved or added to SB 286.

Disability Rights Wisconsin agrees that we need greater and more transparent accountability for choice, charter and public schools and particularly for parents of children with disabilities. This bill has many positive elements that we support:

- One data system for all public, charter and private school to enter data.
- Each student will be assigned a unique number for better tracking of information.
- Multiple measures will be broken into groups including students with disabilities.
- Each school must display on the home page of their website the reports issued by the department.
- System to identify schools that are not providing quality education and more swift action to help these schools change.
- System to eliminate failing choice and charter schools more quickly.

Because this bill is about creating a common accountability system and providing parents with the best, transparent information about how students perform, we strongly support a common definition of disability that crosses public, choice and charter schools.

Discrimination in Choice Schools

Disability Rights Wisconsin also sees SB 286 as an opportunity to address concerns raised in a complaint to the US. Department of Justice about discrimination against students with disabilities in choice schools and we are disappointed that this bill does not include any of these elements. The USDOJ answered this complaint by detailing specific requirements to DPI regarding choice schools and requiring DPI to respond with assurances by May of next year. While many may argue the validity of this determination by USDOJ, the USDOJ has not

reversed any directive in this letter at this time and we believe will hold DPI and the state of Wisconsin accountable to the requirements at the end of the school year.

Evidence of discrimination does exist. This has been documented by the calls to our agency from parents that I personally have taken and in MPS data of students with disabilities returning to the public schools after a school determines they cannot support the child or the child is suspended or expelled from the choice school. During the first semester of last year, 448 students returned to MPS and 142 of these were students with disabilities.

Here are specific examples of individual students:

- T. was a kindergartner with a medical disorder that caused toilet difficulties. Despite her mother's pleas, her teacher wouldn't allow her to use the bathroom as needed - and humiliated her by discussing her problems publicly.
- A. was a 9-year-old who sometimes wouldn't speak. Her teacher left her sitting by herself in a corner of the classroom.
- S. was a 4-year-old receiving speech and language services. When his mother met with administrators to enroll him in school, they tried to talk her out of it.
- K. was an 8-year-old with attention deficit hyperactivity disorder. A school refused to admit him unless he was put on medication.
- B. was an eighth-grader with mental health issues. Her behavior was improving, but she was expelled from school for having a verbal dispute with another student.

These children all have educational disabilities, and they all tried to participate in the Milwaukee Parental Choice Program and they were either denied admission, not served or pushed back into public schools by private voucher schools.

If amended to address these important concerns, this bill can help Wisconsin ensure discrimination against students with disabilities is not occurring and prevent enforcement action by the US Department of Justice. We strongly suggest the bill be amended to provide parents with the protections they need and DPI with the authority they require.

Although USDOJ directs various actions in its April 2013 letter, DRW believes several key items are most important:

- The establishment of a formal complaint system for families, similar to what is required for public schools.
- Providing DPI with additional authority to play a monitoring role in choice schools to ensure that, absent a valid Americans with Disabilities Act (ADA) defense, they do not expel/exit a student with a disability unless the school has first determined that there are no reasonable modifications to

school policies, practices or procedures that could enhance the school's ability to educate the student.

DRW would also ask to amend that private schools comply with the State Pupil Non-Discrimination statutory requirements as public schools do (this can be accomplished by amending 118.60 and 118.13 (1).) This would allow an already established system and authority in DPI to deal with such complaints.

Although the disaggregated data collection proposed in this bill is an excellent first step in monitoring the education and outcomes for students with disabilities and all students, enhanced data collection about enrollment trends in voucher schools can also help us ensure fairness for students with disabilities and track discriminatory practices.

We would request that when a student exits a parent choice school, the receiving public school district be required to collect the following data to report to DPI:

1. The date of the student's enrollment in the public school.
2. The student's disability status.
3. This data should be disaggregated by grade level and type of disability.
4. The name of the school the student attended through the Parental Choice Program.
5. The reason provided by the parent for leaving the Parental Choice Program.

Act 125- Seclusion and Restraint

Disability Rights Wisconsin worked for many years with a variety of stakeholders to shine a bright light on extremely dangerous seclusion and restraint practices that were occurring in our schools. Working alongside school administrators, school boards, teachers, DPI and legislators, Wisconsin came to agreement that among key health and safety standards, certain practices should be banned. We request that this bill be amended to incorporate Wisconsin Act 125 within foundational health and safety measures for all schools.

Funding for Parental Choice Program

DRW receives information annually from the Milwaukee Public School and reports from parents about students returning to the public schools after not receiving adequate support in a choice school. The current funding system does not allow the money to follow the student back to the school district immediately. Since the public school must re-enroll the child, they are left to provide the services without adequate funding. We would ask that the funding be pro-rated and returned to DPI from the choice school so that it can be provided to the public school responsible for education the student.

Brown Deer

September 12, 2013

Cudahy

Elmbrook

Good morning,

Fox Point/
Bayside

Franklin

Glendale/
River Hills

Greendale

Hamilton

Hartford

Kenosha

Kettle Moraine

My name is Terri Phillips and I am the Executive Director for the Southeastern Wisconsin Schools Alliance (SWSA). We represent 28 schools districts in the Southeastern Wisconsin region, and educate approximately 200,000 students. Many of you sitting here today have had students attend and graduate from our outstanding public schools. We are extremely proud of the academic accomplishments of our students and the outstanding contributing citizens they have become in our communities.

Milwaukee

As a large organization representing many public schools families, we appreciate the opportunity to testify at today's public hearing and share our position on the proposed Accountability Legislation.

Menomonee Falls

Mequon-Thiensville

Muskego-Norway

Nicolet

During the last budget cycle, our state government made a significant policy decision to expand the Parental Choice Program. We recognize that this legislative decision is going to be extremely impactful on all of the students in the state of Wisconsin, whether they are attending a publicly funded private school or a traditional public school.

Oak Creek/
Franklin

Oconomowoc

Pewaukee

Port Washington/
Saukville

With this expansion, we have now increased the potential number of students participating in a publicly funded education system. The purpose of the expansion was to allow parents to have choice when making educational decisions for their children. In order to provide our parents the ability to make sound academic decisions for their children, they must have comparative standard accountability data to review.

St. Francis

Shorewood

I would like to articulate the key messages from the SWSA as you consider the proposed Accountability Legislation (or future iterations of this bill):

South Milwaukee

Waukesha

1. It is imperative that we develop a standard set of criteria by which all schools receiving public funds must be measured.
2. The Accountability System that is implemented must be fair, equitable, and transparent for all publicly funded schools.
3. The consequences for all publicly funded schools must be fair and consistent.
4. We commend your foresight to insure transparency by directing the Legislative Audit Bureau to annually study DPI's methodology for calculating the performance of schools and schools districts rather than making the legislation obsolete by building criteria into law that may need to change.

West Allis/
West Milwaukee

Westosha UHS

Whitefish Bay

Whitnall

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This Accountability Legislation is good policy for all students attending publicly funded schools. This legislation is good policy for parents as they consider academic options for their children. Finally, it is good policy for the taxpayers in the state of Wisconsin who hold our legislature and state government accountable for their hard earned tax dollars.

Thank you for your time.

Terri Phillips
Executive Director
Southeastern Wisconsin School Alliance (SWSA)



September 12, 2013

Senate Bill 286 – school and school district accountability system

Good morning, I am Pat Deklotz, superintendent of the Kettle Moraine School District, located about 45 minutes east of here, right in the heart of Waukesha County. We serve approximately 4,000 students and 8,700 households. We have six private schools that we partner with, sharing federal title money and providing them service. We are high achieving and I would believe our private schools are high achieving. But I am here today on behalf of the 75% of constituents who do not have children in either public or private schools. They are asking me questions that I cannot answer. They want to know how they, as taxpayers in the State of Wisconsin, can hold private choice schools accountable for the use of taxpayer money. They believe they have a right to know, a right that goes beyond a parent's choice of which system they use to educate their child.

I am speaking in favor of this bill because the public needs to have confidence in their government and frankly, what I am told by my citizens, in the coffee shop and the grocery store and at my church, is they don't. And I'm not sure that government is listening. The latest annual Kappan Gallup poll reports a growing number (70%) are opposed to vouchers and spending public money on private schools. But that is water over the dam in Wisconsin.

Today I am speaking in favor of this bill because we want one system and we want transparency.

I support this bill because it provides for one system, a system that is not unduly influenced by any special interest. A system that is not so rigid or prescribed that it cannot respond to the needs of the organizations it serves. It needs to be able to evolve to meet the expectations of the public. This is why I strongly support the language that calls for the calculations review by the Legislative Audit Bureau, so there is transparency and oversight by a neutral party.

It is no surprise that there is doubt and suspicion between school choice and public school systems. They have been attacking each other. But what about the children and what about the taxpayers?

In the last session I heard many legislators and the Governor, himself, make promises for a fair and accountable system. All publicly funded schools need accountability. One system that uses the same metrics to measure performance of those systems accepting public funding – that is the promise that was made. That is the expectation that members of my community are waiting to see.

We need to level the playing field and this is one step, among many, that needs to occur. It is time to get beyond the politics that separate us and focus on the students and taxpayers that we serve. I ask you to support SB 286 and to provide the public with one system of accountability that provides transparency in the use of public dollars. Thank you.

September 12, 2013

Position Statement on Senate Bill 286

Chairman Olsen and members of the Senate Education Committee,

School Choice Wisconsin supports providing parents comprehensive yet easily understood data in education. The process surrounding the creation of that data, however, must be as transparent as the final product it produces.

As a member of the Design Team on the Accountability Task Force and in working with legislators, we have adhered to three guiding principles in crafting workable and effective legislation. The first principle requires putting quality, uniform data into any accountability system. The second principle requires specificity in statute regarding the parameters and metrics of the report card. The third principle necessitates equitable treatment across education sectors.

Unfortunately, SB 286 fails on all three counts. We recognize the complexity of the items in front of the committee and appreciate the work done to include some of the issues we brought forward.

However, the balance needed to provide all participants an equal playing field is missing. In the state of Wisconsin, the only authority that the Department of Public Instruction has over private schools is that which the legislature gives DPI, predominately through the school choice programs. This legislation turns over a great deal more power to DPI without specifying many of the parameters related to that power.

DPI has an aggressive, taxpayer-funded, public advocacy and lobbying campaign against the school choice programs. Therefore, we cannot support giving this unconstrained authority to such a subjective body, in a system that requires objectivity.

There are many individual items that cause us concern in this legislation. However, requirements to turn over vast amounts of undefined data sets with minimal review of DPI makes the legislation, in our eyes, unworkable.

School Choice Wisconsin is a nonprofit organization that seeks to ensure an honest debate about school choice by providing accurate information on the impact of school choice on families, communities, and schools. www.chooseyourschoolwi.org



Testimony of Ron Martin
Vice-President of the Wisconsin Education Association Council
before the Senate Education Committee
September 12, 2013
Senate Bill 286

Thank you for the opportunity to address the committee. I am Ron Martin, a social studies teacher from Eau Claire for more than 20 years and am now serving as the vice-president of the Wisconsin Education Association Council.

Our union of educators is committed to advancing the profession, ensuring every child has a top-notch teacher at the head of the class and a safe and positive learning environment which is enhanced by education support professionals. That is why WEAC is leading the pack in training members about a new, more comprehensive way to gauge teacher effectiveness which our union helped develop in collaboration with other education stakeholder groups. Dubbed "Educator Effectiveness," the system was designed to improve educator professional practice leading to improved student outcomes. Our members continue to sound the call for higher standards for students and educators. WEAC is at the forefront in providing resources for educators to meet and exceed requirements for licensure and offering a network of mentors for teachers to achieve National Board Certification, the highest achievement in the teaching profession.

During the 2009-10 legislative session, WEAC championed legislation to provide struggling schools with guidance and support to ensure opportunities for all students and improve student learning. Signed into law as 2009 Wisconsin Act 215, the legislation offered a hand up to any school district found to be in need of improvement for four consecutive school years by paving the way for the implementation of a consistent curriculum district-wide, differentiated instruction to meet individual pupil needs, academic and behavioral supports and early interventions, and additional learning time. The proposal also carved out a role for the state superintendent of public instruction to guide struggling schools and districts by providing a system of support and improvement, including technical assistance.

WEAC members are doing their part to deliver a high quality education for all children. They are looking to state policymakers to deliver on a promise to hold all schools receiving taxpayer dollars accountable – traditional public schools, charter schools and private schools in the voucher program. Unfortunately, last session the Legislature adjourned before acting on the recommendations of the School Accountability Taskforce. This session, the Legislature also missed an opportunity by passing the 2013-15 state budget that expanded the taxpayer-funded private school voucher program statewide, but punted on accountability.

The legislation before you today, Senate Bill 286, represents a continuation of a conversation that WEAC has been having for years. If our state is serious about pursuing a comprehensive accountability system that assesses whether the education needs and achievement goals of all students are being met, voucher and charter

Betsy Kippers, President

schools must be included along with traditional public schools. And they should be held to the same standards and assessed in the same way so it is easier for parents and the community to make “apples to apples” comparisons. That means voucher schools should be subject to open meetings and open records laws, be required to hire licensed teachers who have undergone criminal background checks, establish due process standards for expelled students, and adopt graduation requirements and minimum credit levels for math, science and English. To do anything less would shortchange students, parents, local communities, and our state.

Proponents of voucher schools have been resistant to state interventions in the lowest performing private schools participating in the voucher program. This argument rings hollow as more and more of these schools are funded primarily with taxpayer dollars via the voucher. For example, four out of five students in private schools in the Milwaukee Parental Choice Program receive a taxpayer-funded voucher. This raises the question, when does a private school become a public school?

As you explore accountability measures for all schools that receive taxpayer dollars, please give consideration to inputs that are directly related to student learning, not just outputs. These inputs include teacher quality, professional development, and availability of subject-specific specialists, class size, tutoring and other academic support. Equally important is whether a school offers a well-rounded curriculum that includes art, music, world languages and vocational education. WEAC heard this message repeatedly from parents and community members as we traveled the state in the fall of 2011 in our Speak Out for Public Education forums. (A summary report and video outtakes from our conversations with communities across the state can be found by visiting www.weac.org/speakout).

Nothing is more important than making sure Wisconsin students are getting a high-quality education. The sooner all schools receiving public funding are subject to transparent accountability measures and standards equal to those applied to public schools, the better. The state owes it not only to taxpayers, but also to our children.